

AMENDED IN ASSEMBLY AUGUST 25, 2004

AMENDED IN ASSEMBLY AUGUST 23, 2004

AMENDED IN ASSEMBLY AUGUST 5, 2004

AMENDED IN SENATE MAY 18, 2004

AMENDED IN SENATE APRIL 22, 2004

SENATE BILL

No. 1752

Introduced by Senators Battin and Denham

(Coauthors: Senators Aanestad, Ackerman, Johnson, and Oller)

(Coauthors: Assembly Members Bates, Bermudez, Bogh, Calderon, Cogdill, Daucher, Dutton, Garcia, Harman, Shirley Horton, La Malfa, Maze, Pacheco, and Spitzer)

February 20, 2004

~~An act to amend Section 11011.21 of the Government Code, to repeal Sections 100505 and 100510 of the Health and Safety Code, to amend Section 12 of Chapter 1087 of the Statutes of 1985 and Section 1.5 of Chapter 417 of the Statutes of 1996, to repeal Chapter 188 of the Statutes of 1999 and Chapter 761 of the Statutes of 2001, and to amend Section 10 of Chapter 974 of the Statutes of 2002, relating to state property. An act relating to state property.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1752, as amended, Battin. State property: surplus.

~~(1) Existing~~

Existing law requires the Department of General Services to perform various functions and duties with respect to state property.

This bill would authorize the Director of General Services ~~and the Director of the Department of Transportation~~ to sell, exchange, lease, or transfer 2 specified parcels of state ~~property~~ *property: the Northern California Youth Reception Center and Clinic in Sacramento and the Fred C. Nelles Correctional Facility in Whittier*. The bill would exempt the sale, exchange, lease, or transfer of the parcels from specified provisions of the California Environmental Quality Act. This bill would require that the net proceeds of ~~property sold by the Director of General Services~~ be deposited in the General Fund and would require the reservation of mineral rights, as specified. ~~The bill would require that the proceeds of any property disposition by the Director of the Department of Transportation be deposited into the State Highway Account.~~

~~The bill would also delete and revise provisions relating to specified authorizations to sell, exchange, lease, or transfer state surplus property.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. — Section 11011.21 of the Government Code is~~
- 2 *SECTION 1. The Director of General Services, with the*
- 3 *approval of the State Public Works Board, may sell, exchange, or*
- 4 *lease for current market value or for any lesser consideration*
- 5 *authorized by law and upon those terms and conditions and subject*
- 6 *to those reservations and exceptions as the Director of General*
- 7 *Services determines are in the best interests of the state, all or any*
- 8 *part of the following real property:*
- 9 *Parcel 1. Approximately 24.71 acres with improvements*
- 10 *thereon, known as the Northern California Youth Reception Center*
- 11 *and Clinic, located at 3001 Ramona Road in Sacramento,*
- 12 *Sacramento County, and operated by the Department of the Youth*
- 13 *Authority.*
- 14 *Parcel 2. Approximately 75 acres with improvements thereon,*
- 15 *known as the Fred C. Nelles Correctional Facility located at 11850*
- 16 *East Whittier Boulevard, Los Angeles County, and operated by the*
- 17 *Department of the Youth Authority.*
- 18 *SEC. 2. (a) Notices of every public auction or bid opening*
- 19 *shall be posted on the property to be sold under this act and shall*

1 *be published in a newspaper of general circulation published in the*
2 *county in which the real property to be sold is situated.*

3 *(b) Any sale, exchange, lease, or transfer of the parcels*
4 *described in this act is exempt from Chapter 3 (commencing with*
5 *Section 21100) to Chapter 6 (commencing with Section 21165),*
6 *inclusive, of Division 13 of the Public Resources Code.*

7 *SEC. 3. (a) The Department of General Services shall be*
8 *reimbursed for any cost or expense incurred in the disposition of*
9 *any parcels.*

10 *(b) The net proceeds of any moneys received from the*
11 *disposition of any parcels described in this act shall be deposited*
12 *in the General Fund and be available for appropriation in*
13 *accordance with Section 15863 of the Government Code.*

14 *SEC. 4. As to any property sold pursuant to this act consisting*
15 *of 15 acres or less, the Director of General Services shall except*
16 *and reserve to the state all mineral deposits, as defined in Section*
17 *6407 of the Public Resources Code, below a depth of 500 feet,*
18 *without surface rights of entry. As to property sold pursuant to this*
19 *act consisting of more than 15 acres, the Director of General*
20 *Services shall except and reserve to the state all mineral deposits,*
21 *as defined in Section 6407 of the Public Resources Code, together*
22 *with the right to prospect for, mine, and remove the deposits. The*
23 *rights to prospect for, mine, and remove the deposits shall be*
24 *limited to those areas of the property conveyed that the director,*
25 *after consultation with the State Lands Commission, determines to*
26 *be reasonably necessary for the removal of the deposits.*

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<p>All matter omitted in this version of the bill appears in the bill as amended in the Assembly, August 23, 2004 (JR 11)</p>
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